Notice of Allowability	Application No.	Applicant(s)	
	10/627,387	RIPOLL ET AL.	
	Examiner	Art Unit	
	George C. Yeung	1761	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the Amendment filed on January 13, 2005*.

2. ☒ The allowed claim(s) is/are *1-6*.

3. ☐ The drawings filed on _____ are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted (Figure 1 is objected to as being informal).
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date --.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

George C. Yeung
Primary Examiner
Art Unit: 1761

Reasons for Allowance

The following is an examiner's statement of reasons for allowance. The prior art does not show or suggest the present method for producing encapsulated particles to be added to food products as claimed in claim 1. The present method comprises the steps of forcing a first liquid through a first exit opening in an electrified first feeding needle to form a Taylor cone at the first exit whereby an extremely thin jet of the first liquid is emitted into a chamber having gas or vacuum; forcing a second liquid, non-miscible with the first liquid, through a second exit in a second feeding needle, wherein the second feeding needle is concentrically located with respect to the first feeding needle, in a manner which causes the second liquid to form a conical meniscus which is anchored at the second exit of the second feeding needle and surrounds the Taylor cone of the first liquid; wherein a jet of the second liquid, which is coaxial with, and surrounds, the extremely thin jet of the first liquid, is issued from the conical meniscus into the chamber; wherein the second feeding needle is at the same or different electrical potential than the first feeding needle; wherein the chamber contains a dielectric atmosphere; wherein stable fluid interfaces are maintained between the second liquid and the gas or vacuum in the chamber and wherein the second and first liquids forced from the first and second feeding needles form the encapsulated particles; and wherein the encapsulated particles comprise an inner core of the first liquid and an outer layer of the second liquid and wherein the encapsulated particles have an average diameter of about 100 microns to about 15 nanometers.

G.C. Yeung/dh
February 17, 2005

GEORGE C. YEUNG
PRIMARY EXAMINER